

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

Jamie Davis,

Plaintiff,

v.

Diversified Consultants, Inc.; and
DOES 1-10, inclusive,

Defendant.

Civil Action No.: 1:13-cv-10875-FDS

**DECLARATION OF SERGEI LEMBERG IN SUPPORT OF
PLAINTIFF'S MOTION FOR PARTIAL SUMMARY JUDGMENT**

Pursuant to 28 U.S.C. § 1746, Sergei Lemberg hereby declares as follows:

1. My name is Sergei Lemberg. I am an attorney admitted to the United States District Court for the District of Massachusetts and I make this Declaration based upon personal knowledge of all matters stated herein. I am a principal partner at the law firm of Lemberg Law, LLC. I am an attorney of record for Plaintiff, and I am familiar with all the facts and circumstances in this action.

2. Attached hereto as Exhibit A are true and accurate excerpts of the deposition transcript of Mavis-Ann Pye, Defendant's Rule 30(b)(6) designee.

3. Attached hereto as Exhibit B are true and accurate excerpts of the deposition transcript of the Plaintiff, Jamie Davis.

4. Attached hereto as Exhibit C is a true and accurate copy of the Declaration of Mavis-Ann Pye submitted by Defendant in the matter Echevarria v. Diversified Consultants, Inc., No. 17, 13-cv-04980-LAK (S.D.N.Y.). I acquired the document through the Pacer system.

5. Attached hereto as Exhibit D is a Dial List produced by the Defendant in discovery. The Dial List is also Exhibit 5 to the deposition of Ms. Pye.

6. Attached hereto as Exhibit E are Defendant's Interrogatory Responses.

7. Attached as Exhibit F is a true and accurate copy of Defendant's Website which I retrieved from Defendant's website on February 26, 2014. The Website is also Exhibit 3 to the deposition of Ms. Pye.

I declare under penalty of perjury that the foregoing is true and accurate to the best of my knowledge. Executed on March 31, 2014.

By /s/ Sergei Lemberg
Sergei Lemberg, Esq.